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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 MURUGANANANDAM ARUMUGAM,

13 Defendant.  
14

Case No. CR19-41RSL

ORDER CONTINUING  
TRIAL DATE

15 This matter comes before the Court *sua sponte*. On June 17, 2020, over the defendant's  
16 objection, the Court continued the trial date in this case to September 1, 2020. See Dkt. #126.  
17 On August 26, 2020, the Court issued an order striking the trial date and ordering that the period  
18 of time from the date of the order up to and including September 8, 2020, be excludable time  
19 pursuant to 18 U.S.C. § 3161. Dkt. #143 (citing W.D. Wash. Gen. Order Nos. 02-20, 11-20).  
20 On September 4, 2020, the Honorable Ricardo S. Martinez, Chief United States District Judge,  
21 issued General Order No. 13-20, further continuing all civil and criminal in-person hearings and  
22 trials in the Seattle and Tacoma Courthouses until October 5, 2020. Now, therefore, the Court  
23 FINDS as follows:

24 1. Considering the recommendations made by the Centers for Disease Control and  
25 Prevention ("CDC") and Public Health for Seattle and King County regarding social distancing  
26 measures required to stop the spread of disease, as well as the lack of personal protective  
27 equipment necessary to ensure the health and safety of all participants, it is not possible to  
28 proceed with a jury trial at this time. See W.D. Wash. Gen. Orders No. 02-20, 13-20.

ORDER CONTINUING TRIAL DATE - 1

2. Further, because of the recommendations that individuals at higher risk of contracting COVID-19 (including individuals with underlying health conditions, individuals aged 60 and older, and individuals who are pregnant) avoid large groups of people, at this time, it would be difficult, if not impossible, to obtain a jury pool that would represent a fair cross section of the community. Based on recommendations, it would also be medically inadvisable to do so.

3. In addition, the Court has been advised that defendant faces new criminal charges in King County Superior Court and is currently incarcerated at King County Jail awaiting a September 14, 2020 trial date in that case.


4. For these reasons, the Court finds that a failure to continue the trial date in this case would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i). Due to the Court's reduced ability to obtain an adequate spectrum of jurors, and the impact of the aforementioned public health recommendations on Court operations, the Court specifically finds that the ends of justice served by continuing the trial in this case outweigh the best interest of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(7)(A); see also W.D. Wash. Gen. Orders No. 02-20, 13-20.

IT IS THEREFORE ORDERED that the trial date in this case be further continued. The Court will conduct a status conference to schedule a new trial date for the earliest possible date on the Court's calendar after the Courthouses reopen for in-person hearings and trials.

IT IS FURTHER ORDERED that the period of time from the date of this Order up to and including October 5, 2020, shall be excludable time pursuant to 18 U.S.C. § 3161. See W.D. Wash. Gen. Orders No. 02-20, 13-20.

IT IS SO ORDERED.

DATED this 9<sup>th</sup> day of September, 2020.

  
Robert S. Lasnik  
United States District Judge